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PTO/SB/21 (08-00)

Approved for use through 10/31/2002

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
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| Total Number of Pages in This Submission | 4 | Attorney Docket Number | 14335US02 |
|--|---|------------------------|-----------|

ENCLOSURES (check all that apply)

| | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO 1449/08A with no references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) (sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): _____ |
| Remarks _____ | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|-------------------------|---|-----------------------------------|----------------------|
| Firm or Individual Name | McAndrews Held & Malloy, Ltd. | | |
| Name (Print/type) | Joseph M. Barich | Registration No. (Attorney/Agent) | 42,291 |
| Signature |  | | Date: April 14, 2004 |

EXPRESS MAIL DEPOSIT

"Express Mail" mailing label number : EV 331532886US
 Date of Deposit April 14, 2004.



UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 14335US02)

In the Application of:

Mike Nipke

Serial No.: 10/751,183

Filed: February 18, 2004

For: POWERED PATIO POLE
UMBRELLA

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97-1.98 and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, it is respectfully requested that the following references be considered in the examination of the above-identified patent application:

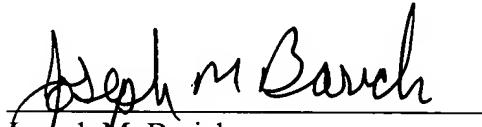
| <u>U.S. Pat. No.</u> | <u>Date</u> | <u>Name</u> |
|----------------------|-------------|-------------|
| 2,087,537 | 07/20/1937 | Finkel |
| 4,174,532 | 11/13/1979 | Kelley |
| 5,053,931 | 10/01/1991 | Rushing |
| 5,331,524 | 07/19/1994 | Tseng |
| 5,463,535 | 10/31/1995 | Vest |
| 5,769,000 | 06/23/1998 | Dunfey |
| 6,017,188 | 01/25/2000 | Benton |
| 6,323,431 | 11/27/2001 | Lin |

| | | |
|-----------|------------|------------|
| 6,612,713 | 09/02/2003 | Kuelbs |
| 6,659,616 | 12/09/2003 | Bilotti |
| 6,668,845 | 12/30/2003 | Lin et al. |

The above-identified references are listed on the attached PTO Form 1449. This submission is in no way intended as an admission that the above-cited reference constitutes prior art. Applicant expressly retains the right to take any actions necessary to remove the above-cited references from the available prior art. Consideration of the above-identified references in the examination of the present patent application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees that may be required or credit any overpayment to Account No. 13-0017.

Respectfully submitted,



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Registration No. 42,291
Attorney for Applicant

April 14, 2004
Date

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|--|----------------------------------|------------------------------------|
| FORM PTO-1449 | SERIAL NO. 10/751,183 | CASE NO. 14335US02 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary) | FILING DATE February 18, 2004 | GROUP ART UNIT Not Yet Assigned |
| APPLICANT(S): Mike Nipke | | |

REFERENCE DESIGNATION
U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|------------------|-----------------|------------|------------|-----------------|-------------|
| A1 | 2,087,537 | 07/20/1937 | Finkel | | |
| A2 | 4,174,532 | 11/13/1979 | Kelley | | |
| A3 | 5,053,931 | 10/01/1991 | Rushing | | |
| A4 | 5,331,524 | 07/19/1994 | Tseng | | |
| A5 | 5,463,535 | 10/31/1995 | Vest | | |
| A6 | 5,769,000 | 06/23/1998 | Dunfey | | |
| A7 | 6,017,188 | 01/25/2000 | Benton | | |
| A8 | 6,323,431 | 11/27/2001 | Lin | | |
| A9 | 6,612,713 | 09/02/2003 | Kuelbs | | |
| A10 | 6,659,616 | 12/09/2003 | Bilotti | | |
| A11 | 6,668,845 | 12/30/2003 | Lin et al. | | |
| A12 | | | | | |
| A13 | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES NO |
|------------------|-----------------|------|---------|-----------------|-----------------------|
| A14 | | | | | |
| A15 | | | | | |
| A16 | | | | | |
| A17 | | | | | |
| A18 | | | | | |

| EXAMINER INITIAL | OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.) |
|------------------|--|
| A19 | |
| A20 | |
| A21 | |
| A22 | |
| A23 | |
| A24 | |

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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.